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F. #2013R00383

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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

- - - - - X

UNITED STATES OF AMERICA

- against -

YEVHENI LOZOVYI,

Defendant.

- - - - - X

INDICTMENT

CR 16- 0198

(T. 18 U.S.C., §§ 981(a)(1)(C), 2320(a)(1),
2323, 2 and 3551 et seq.; T. 21 U.S.C.,
§ 853(p); T. 28 U.S.C., § 2461(c))

KORMAN, J.

THE GRAND JURY CHARGES:

ORENSTEIN, M.J.

COUNTS ONE THROUGH THREE
(Trafficking in Counterfeit Goods)

1. In or about and between the dates set forth below, all dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendant YEVHENI LOZOVYI, together with others, did intentionally traffic and attempt to traffic in goods, to wit: the goods identified below, and did knowingly use a counterfeit mark on and in connection with such goods.

<u>COUNT</u>	<u>DATE RANGE</u>	<u>GOODS</u>
ONE	May 2012 – December 2012	Otterbox® mobile phone cases
TWO	August 2012 – December 2012	Lifeproof® mobile phone cases
THREE	November 2012 – December 2012	Clarisonic® facial cleansing brushes

(Title 18, United States Code, Sections 2320(a)(1), 2 and 3551 et seq.)

CRIMINAL FORFEITURE ALLEGATION

2. The United States hereby gives notice to the defendant YEVHENI LOZOVYI that, upon his conviction of any of the offenses charged in Counts One through Three, the government will seek forfeiture in accordance with Title 18, United States Code, Sections 981(a)(1)(C) and 2323 and Title 28, United States Code, Section 2461(c), which require any person convicted of such offenses to forfeit (a) any article the making or trafficking of which is prohibited under Title 18, United States Code, Section 2320; (b) any property used, or intended to be used, in any manner or part to commit or facilitate the commission of such offense; and (c) any property, real or personal, which constitutes or is derived from proceeds traceable to such offense, including, but not limited to:

Specific Property

- a. Approximately \$320,793.27 in United States currency, formerly on deposit in Amazon.com seller account Robbi2rivera@gmail.com, which was seized on or about January 18, 2013, and all proceeds traceable thereto;
- b. Approximately \$172,878.44 in United States currency, formerly on deposit in Amazon.com seller account Victorpuhini187@yahoo.com, which was seized on or about January 18, 2013, and all proceeds traceable thereto;
- c. Approximately \$83,543.66 in United States currency, formerly on deposit in Amazon.com seller account Davidcranston779@gmail.com, which was seized on or about February 7, 2014, and all proceeds traceable thereto;
- d. Approximately \$58,710.99 in United States currency, formerly on deposit in Amazon.com seller account Jvusbet@gmail.com, which was seized on or about February 7, 2014, and all proceeds traceable thereto;

e. Approximately \$71,633.82 in United States currency, formerly on deposit in Amazon.com seller account Vasil550@yahoo.com, which was seized on or about February 7, 2014, and all proceeds traceable thereto;

f. Approximately \$63,975.46 in United States currency, formerly on deposit in Amazon.com seller account number 6378173915 in the name of Ameli Olisa and associated with email address Ameripikol@yahoo.com, which was seized on or about February 7, 2014, and all proceeds traceable thereto;

g. Approximately \$53,679.55 in United States currency, formerly on deposit in Amazon.com seller account number 6434181315 in the name of Jesmin Garetos and associated with email address Markoivasik@yahoo.com, which was seized on or about February 7, 2014, and all proceeds traceable thereto;

h. Approximately \$79,051.63 in United States currency, formerly on deposit in Amazon.com seller account number 1199156806 in the name of Alex Morda and associated with email address Mordaalex@gmail.com, which was seized on or about February 7, 2014, and all proceeds traceable thereto; and

i. Approximately \$48,262.75 in United States currency, formerly on deposit in Amazon.com seller account number A180OFV3O2407B in the name of Mathew Pariso and associated with email address Matpariso@gmail.com, which was seized on or about March 10, 2014, and all proceeds traceable thereto.

3. If any of the above-described forfeitable property, as a result of any act or commission of the defendant:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third-party;

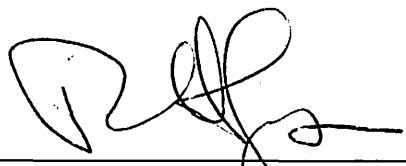
- c. has been placed beyond the jurisdiction of the court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be

divided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the defendant up to the value of the forfeitable property described in this forfeiture allegation.

(Title 18, United States Code, Sections 981(a)(1)(C) and 2323; Title 21, United States Code, Section 853(p); Title 28, United States Code, Section 2461(c))

A TRUE BILL


FOREPERSON

ROBERT L. CAPERS
UNITED STATES ATTORNEY
EASTERN DISTRICT OF NEW YORK